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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 RODNEY EUGENE DAVIS,

10 Petitioner,

11 vs.

12 WARDEN, et al.,

13 Respondents.  
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Case No. 2:05-cv-01179-KJD-NJK

**ORDER**

15 Petitioner has submitted a motion for leave to supplement petitioner's opposition (#66).  
16 Petitioner asks the court for leave to supplement the opposition to the motion to dismiss with  
17 argument based upon Martinez v. Ryan, 132 S. Ct. 1309 (2012). Respondents do not oppose the  
18 motion, but ask for time to file a response to the supplement. The court grants both parties'  
19 requests.

20 IT IS THEREFORE ORDERED that petitioner's motion for leave to supplement petitioner's  
21 opposition (#66) is **GRANTED**. Petitioner shall file the supplement within ten (10) days from the  
22 date of entry of this order.

23 IT IS FURTHER ORDERED that respondents shall have thirty (30) days from the date of  
24 entry of this order to file a response to the supplement.

25 DATED: May 20, 2013  
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28 **KENT J. DAWSON**  
United States District Judge